1 2 3 4	DAVID G. EPSTEIN (SBN 84356) depsteinlaw@icloud.com THE DAVID EPSTEIN LAW FIRM PO Box 4858 Laguna Beach, CA 92652-4858 (949) 715-1500 Fax (949) 715-2570	
5 6	Attorneys for Plaintiff	
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9	UNITED STATE	ES DISTRICT COURT
10	CENTRAL DISTRICT OF CA	ALIFORNIA, SOUTHERN DIVISION
11		
12	JOHN D. THOMAS,) Case No. 8:23-cv-00236-DOC-JDE
13	771.4.4466) Assigned for all purposes to:
14	Plaintiff, vs.) NOTICE OF DEFAULT AND
15	v 5.) REQUEST FOR ENTRY OF DEFAILT
16	LEAGLE, INC., a former Arkansas) JUDGMENT
17	corporation; and DOES 1-25,) Date: August 27, 2023
	Defendants.) Time: 8:30am
18) Courtroom 10 A
19)
20		
21	To the court and defendant:	
22	Please take notice that on August	27, 2023, or as soon thereafter as counsel may
23	be heard by the above-entitled court, loca	ated at 411 West Fourth St., Santa Ana, CA
24	92701, plaintiff will present its application for a default judgment against defendant.	
25	At the time and place of the hearing plaintiff will present proof of the following	
26	matters:	
27		
28		
20		-1-

1	1. Defendant
2	service or otherwise
3	(See Declaration of I
4	2. Notice of the
5	3. Notice of the
6	said defendant by Ju
7	service of process or
8	4. The above-
9	complaint (<i>Id</i> . at ¶5
10	The applicati
11	Epstein, the pleadin
12	before the court at tl
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17	Dated: July 30, 2023
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1. Defendant Leagle, Inc. is not a minor or incompetent person or in military
service or otherwise exempted under the Soldiers and Sailors Civil Relief Act of 1940
(See Declaration of David G. Epstein at \P 6.)

- 2. Notice of the application has been served as required by Rule 55(b)(2).
- 3. Notice of this application for default judgment by court has been served on said defendant by July 24, 2023, in the manner previously approved by this court for service of process on this defendant. (Declaration of David G. Epstein ¶7).
- 4. The above-named defendant has failed toppled or otherwise respond to the complaint (Id. at $\P 5$).

The application is based on this Notice, the attached Declaration of David G. Epstein, the pleadings and files in this matter, and any other matter that may be brought before the court at the hearing.

The David G. Epstein Law Firm

/s/ David G. Epstein

David G. Epstein

Declaration of David G. Epstein 1 2 I, David G. Epstein, say: 3 1. I am licensed California attorney admitted to their of this court. I make this 4 declaration of my own personal knowledge and could and would so testify if called. 5 2. This action was filed on February 7, 2023. Summons was issued on February 9, 2023. 6 3. On April 14, 2023, the court authorized service of process on this defendant by 7 electronic means (Docket 17) 8 9 4. On June 13, 2023, plaintiff filed a proof of service by said means (Docket 18). 10 5. Defendant has not responded in any manner to the summons and complaint and has not communicated with the undersigned. The time for a response to the 11 12 complaint has passed. 6. Defendant is not a minor or an incompetent person, and is not in the military 13 service and accordingly the Servicemembers Civil Relief Act does not apply. 14 7. I served a copy of this application on July 30, 2023 in the same manner 15 authorized by the court for service of the summons and complaint. 16 If called as a witness, I could and would testify to the matters contained herein, 17 which I know of my own personal knowledge, except for those matters stated upon 18 information and belief, and as to them, I believe them to be true. 19 20 I declare under penalty of perjury under the laws of the state of California that 21 the foregoing is true and correct. 22 Executed at Laguna Beach, California, on July 30, 2023. 23 /s/ David G. Epstein 24 25 David G. Epstein 26 27 28 - 3 -